

**United States v. Tonawanda Coke Corporation and Mark L. Kamholz**  
**10-CR-219-S**

On February 26, 2013, the defendants, Tonawanda Coke Corporation (“Tonawanda Coke”) and its Manager of Environmental Control, Mark L. Kamholz, each proceeded to trial on a 19-count Indictment, which is available [here](#). Prior to trial, the government filed a trial memorandum which provided more detailed information about the case and is available [here](#).

On March 28, 2013, the jury found Defendant Tonawanda Coke guilty of 14 felony counts and Defendant Mark Kamholz guilty of 15 felony counts. Specifically, both defendants were found guilty of Counts 1 through 5 (violations of the Clean Air Act (“CAA”) by emitting coke oven gas from an unpermitted emission source), Count 9 (violation of the CAA by operating the western quench tower without baffles), Counts 11 through 15 (violations of the CAA by operating the eastern quench tower without baffles), and Counts 17 through 19 (violations of the Resource Conservation and Recovery Act (“RCRA”)). Defendant Mark Kamholz was additionally found guilty of Count 16 (obstruction of justice).

Sentencing for both Tonawanda Coke Corporation and Mark Kamholz will be set during a status conference scheduled for October 22, 2013 at 1:00PM before U.S. District Court Chief Judge William Skretny in the Federal Courthouse at 2 Niagara Square (9th floor), Buffalo, NY.

In preparation for sentencing, the government has filed the following:

Government’s Sentencing Memorandum, [available here](#);

Exhibits 1-5, [available here](#);

Exhibits 6-7, [available here](#);

Exhibits 8-12, [available here](#);

Exhibits 13-18, [available here](#);

Exhibits 19-20, [available here](#);

Exhibits 21-31, [available here](#);

Exhibit 32, [available here](#);

Exhibits 33-36, [available here](#);

Exhibits 37-41, [available here](#);

Exhibits 42-46, [available here](#);

Exhibit 47-1, [available here](#);

Exhibit 47-2, [available here](#);

Exhibit 47-3, [available here](#);

Exhibit 48, [available here](#);

Exhibits 49-51, [available here](#);

Exhibit 52, [available here](#);

Exhibit 53, [available here](#); and

Exhibits 54-55, [available here](#)

The defendants have also filled the following sentencing submissions:

Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 1 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 2 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 3 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 4 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 5 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 6 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 7 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#);  
Exhibit 8 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#); and  
Exhibit 9 to Defendant Tonawanda Coke's Sentencing Memorandum, [available here](#).

Defendant Kamholz's Sentencing Memorandum, [available here](#);  
Exhibit A to Defendant Kamholz's Sentencing Memorandum, [available here](#);  
Exhibit B to Defendant Kamholz's Sentencing Memorandum, [available here](#);  
Exhibit C to Defendant Kamholz's Sentencing Memorandum, [available here](#);  
Exhibit D to Defendant Kamholz's Sentencing Memorandum, [available here](#); and  
Exhibit E to Defendant Kamholz's Sentencing Memorandum, [available here](#).

Any questions should be directed to:

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